

**AMENDMENTS TO THE DRAWINGS**

The attached sheets of drawings, which includes Figures 1-4, replaces the original sheets including Figures 1-4.

Attachment: Replacement Sheets

**REMARKS**

Claims 1, 2 and 4-37 are pending in the current application. Claims 1, 12, 23 and 36 are independent claims.

***Claim Objections***

Claims 1, 3, 11, 15 and 25 stand rejected to for including informalities. With respect to claims 1 and 3, Applicant respectfully submits that the informalities have been eliminated by amending claim 1 and canceling claim 3. Applicant respectfully traverses this objection as it applies to claims 11, 15 and 25.

The Examiner states that “the Examiner believes the Applicant intends to claim the transceiver as ‘repeater’ not as ‘base station’ ” (page 2 of the Office Action). Applicant respectfully submits that a transceiver is any device that is capable of both receiving and transmitting a signal. Applicant respectfully submits that the use of the term “transceiver” is appropriate in independent claims 1, 12, and 23. Thus, the term “base station” is allowable in claims 11, 15 and 25, dependent on independent claim 1, 12 and 23, respectively, because one example of a transceiver is a base station.

Applicant respectfully requests that the Examiner withdraw this objection.

***Drawing Objections***

The drawings were objected to for failing to comply with 37 C.F.R. § 1.121 (d). Applicant submits replacement drawing for Figures 1-4 with this Amendment to replace the originally submitted drawings of Figures 1-4.

Applicant respectfully requests that the Examiner withdraw this objection.

***35 U.S.C. § 112***

Claims 28-35 stand rejected under 35 U.S.C. § 112. Applicant respectfully submits that the claim language in question has been removed. Applicant respectfully requests that the Examiner withdraw this objection.

***35 U.S.C. § 103 (a) Weaver***

Claims 1, 3-5, 8-12, 14-15, 17-18, 21-25, 28-32 and 34-35 stand rejected under 35 U.S.C. § 103 (a) as being unpatentable over Weaver. Applicant respectfully traverses this art grounds of rejection.

Weaver discloses a time division duplex repeater for use in a CDMA system. The Examiner relies on column 9, lines 16-31, in alleging that Weaver discloses the limitations of the independent claims. However, this portion of Weaver simply relates to a standard repeater. Weaver states:

One method of increasing signal level in a region without the addition of an entirely new base station is to use a signal repeater. A signal repeater is used to extend the coverage area or modify the topology beyond that of a single antenna. Repeaters perform basic signal processing such as restoration of signal amplitude, waveform shape or timing. In this case, the most basic repeater embodiment simply receives, amplifies and retransmits the signal. The repeater is typically installed in proximity to the area in which increased coverage is desired. For example, the repeater can be installed in an neighboring building to base station 115. The repeater has general use in coverage holes such as in the "shadow" of a large building or in a freeway tunnel. (column 9, lines 16-29-emphasis added)

The above described repeater of Weaver is a conventional repeater and is not a repeater according to the claimed invention. For example, the repeater of Weaver discloses nothing with respect to multiple dominant pilot signals. Weaver discloses a repeater that simply receives and retransmits signals. The retransmitted signal may be received by any nearby base station within the range of the transmission. Thus,

Weaver cannot disclose or suggest “linking said transceiver element with only one of a plurality of nearby base stations” as recited in independent claims 1 and 12 and similarly recited in independent claims 23 and 28. Further, for similar reasons, Weaver cannot disclose or suggest transmitting “only one of the multiple dominant pilot signals” as recited in independent claim 36.

Applicant agrees with the Examiner in that “Weaver fails to explicitly disclose locating a fixed transceiver element in a high density area of multiple dominant pilots” (page 4 of the Office Action). However, the Examiner further alleges that “it would have been obvious to one having ordinary skill in the art at the time the invention was made to place the repeater of Weaver in a high density area of multiple dominant pilots or at the area in which increased coverage is desired” (page 4 of the Office Action). While Weaver discloses placing the repeater in a position where increased coverage is desired, Weaver states that “[t]he repeater has general use in coverage holes such as in the ‘shadow’ of a large building or in a freeway tunnel” (column 9, lines 26-27). Coverage holes refer to areas including no useable pilot signals, not multiple dominant pilot signals. Thus, Applicant respectfully submits that it would not be obvious and/or inherent that the repeater of Weaver is placed in an area of multiple dominant pilot signals.

Furthermore, the Examiner will surely appreciate, if the repeater of Weaver were placed in a location having multiple dominant pilots, the Weaver repeater would amplify and transmit them all – and not be linked with only one nearby base station and transmit only one of the dominant pilots

As such, claims 4-5, 8-11, 14-15, 17-18, 21-22, 24-25, 31-32, 34-35 and 37, dependent upon independent claims 1, 12, 23, 28 and 36, respectively, are likewise

allowable over Weaver at least for the reasons given above with respect independent claims 1, 12, 23, 28 and 36.

Applicant respectfully requests that the Examiner withdraw this art grounds of rejection.

***35 U.S.C. § 103 (a) Weaver and Schroderus***

Claims 2, 13, 16, 27 and 33 stand rejected as being obvious in view of Weaver and Schroderus. Applicant respectfully traverses this art grounds of rejection.

Initially, the Applicant agrees with the Examiner in that “Weaver fails to explicitly disclose receiving reverse signals at said transceiver element for said nearby sector associated with nearby base station” (page 6 of the Office Action). The Examiner alleges that Schroderus discloses this one particular deficiency of Weaver.

Schroderus discloses a general method of establishing a telecommunications connection in a mobile communication system. Specifically, Schroderus is directed to an inexpensive and simple repeater achieved by using two receivers and one transmitter as opposed to two transceivers. Apparently, transceivers are more expensive than either receivers or transmitters. It is clear from a cursory review of Schroderus that Schroderus is insufficient in overcoming the deficiencies of Weaver as discussed above with respect to independent claims 1, 12, 23 and 28.

As such, claims 2, 13, 16, 27 and 33, dependent upon independent claims 1, 12, 23 and 28, respectively, are likewise allowable over Schroderus at least for the reasons given above with respect to independent claims 1, 12, 23 and 28.

Applicant respectfully requests that the Examiner withdraw this art grounds of rejection.

***35 U.S.C. § 103 (a) Weaver and Kinnunen***

Claim 6-7, 19-20 and 26 stand rejected under 35 U.S.C. § 103 (a) as being unpatentable over Weaver and Kinnunen. Applicant respectfully traverses this art grounds of rejection.

Initially, Applicant agrees with the Examiner in that “Weaver fails to disclose transmitting from the transceiver element with less power than transmitting from the nearby base station (page 6 of the Office Action). The Examiner alleges that Kinnunen discloses this one particular deficiency of Weaver.

Kinnunen is directed to a direct mode repeater and a mobile radio system. Kinnunen is directed to a repeater which avoids the problem of simultaneous transmissions from several repeaters on same channel. The repeater of Kinnunen monitors the channel to determine when the channel is available for transmission.

It is clear from a cursory view of Kinnunen that Kinnunen is insufficient in overcoming the deficiencies of Weaver as discussed above with respect to independent claims 1, 12 and 23. As such, claims 6-7, 19-20 and 26, dependent on independent claims 1, 12 and 23 respectively, are likewise allowable over Weaver and Kinnunen at least for the reasons given above with respect to independent claims 1, 12 and 23.

Applicant respectfully requests that the Examiner withdraw this art grounds of rejection.

Reconsideration and allowance of all pending claims are respectfully requested.

**CONCLUSION**

Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of claims 1, 2 and 4-37 in connection with the present application is earnestly solicited.

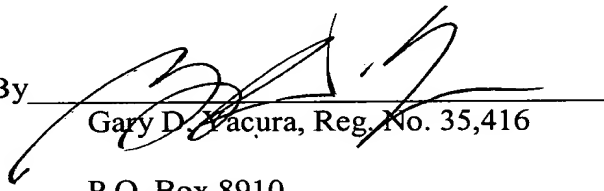
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY, & PIERCE, P.L.C.

By

  
Gary D. Vacura, Reg. No. 35,416

P.O. Box 8910  
Reston, Virginia 20195  
(703) 668-8000

GDY/DAP/cdw